1 BURSOR & FISHER, P.A. FILED L. Timothy Fisher (State Bar No. 191626) Sarah N. Westcot (Sate Bar No. 264916) NOV - 4 2011 1990 North California Boulevard, Suite 940 RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA Walnut Creek, CA 94596 Telephone: (925) 300-4455 4 Facsimile: (925) 407-2700 OAKLAND E-Mail: ltfisher@bursor.com 5 swestcot@bursor.com 6 BURSOR & FISHER, P.A. Scott A. Bursor (State Bar No. 276006) Joseph I. Marchese 369 Lexington Avenue, 10th Floor New York, NY 10017 Telephone: (212) 989-9113 Facsimile: (212) 989-9163 E-Mail: scott@bursor.com 10 imarchese@bursor.com 11 Attorneys for Plaintiffs 12 UNITED STATES DISTRICT COURT 13 NORTHERN DISTRICT OF CALIFORNIA 14 MARK McKNIGHT AND JAMES WILSON, Case Number: C11-01501 SBA 15 on Behalf of Themselves and All Others Similarly Situated, ||PROPOSED| ORDER GRANTING 16 PLAINTIFF JAMES WILSON'S REQUEST FOR DISMISSAL PURSUANT TO FED. R. Plaintiffs, 17 CIV. PRO. 23(e) AND 41(a) 18 VS. Honorable Saundra Brown Armstrong 19 CLARUS MARKETING GROUP, LLC., a Connecticut corporation; PROVIDE 20 COMMERCE, INC. a Delaware corporation; WHITNEY AUTOMOTIVE GROUP, INC., a 21 Delaware corporation; DOES 1 through 50, 22 inclusive. 23 Defendants. 24 25 26 27 28 [PROPOSED] ORDER GRANTING REQUEST FOR DISMISSAL CASE NO. C11-01501 SBA

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Having considered the Request for Dismissal pursuant to Fed. R. Civ. Pro. 23(e) and 41(a) filed by plaintiff James Wilson in the above captioned case, IT IS HEREBY ORDERED AS FOLLOWS: Plaintiff James Wilson's claims are dismissed without prejudice. This dismissal is only as to the claims of plaintiff James Wilson and shall have no effect on the claims of any other party to this litigation. Date: //-3-// United States District Judge

[PROPOSED] ORDER GRANTING REQUEST FOR DISMISSAL CASE NO. C11-01501 SBA